

e-filed 1/9/07

## UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

FLORIMEX FREIGHTFORWARD N.V., a Curacao corporation,	)	Case No. C06 06484 JF HRL
Plaintiff,		HONORABLE JEREMY FOGEL COURTROOM 3
v.		STIPULATION TO EXTEND TIME TO ANSWER COMPLAINT AND TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE; ORDER THEREON
S.A. COMMERCE LLC, a California limited liability company,	)	
Defendant.		

Plaintiff FLORIMEX FREIGHTFORWARD N.V. (hereinafter “Florimex”) and defendant S.A. COMMERCE LLC (hereinafter “SAC”), hereby stipulate and agree as follows:

1. Certain disputes and controversies have arisen among the Parties hereto which led to litigation now pending entitled *Florimex Freightforward N.V. v. S.A. Commerce LLC*, United States District Court, Northern District of California Case No. C06 06484 JF HRL (hereafter, “the Litigation”).

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1           2.     The Litigation was commenced by the filing of a Complaint for  
2 Damages ("Complaint") on October 17, 2006.

3           3.     On October 17, 2006, the Court issued its Order Setting Initial Case  
4 Management Conference and ADR Deadlines. The initial Case Management  
5 Conference is scheduled for January 12, 2007, at 10:30 a.m.

6           4.     Defendant SAC was served with the summons and Complaint on  
7 November 10, 2006.

8           5.     After settlement discussions between counsel for the Parties, the  
9 Parties have decided that it would promote judicial efficiency and be in their best  
10 interest to extend the time for SAC to file an answer to the Complaint and to  
11 continue the initial Case Management Conference to allow settlement discussions  
12 to continue without incurring additional costs.

13           NOW THEREFORE, IT IS STIPULATED AND AGREED BY THE  
14 PARTIES AS FOLLOWS:

15           A.     The time for SAC to answer the Complaint is extended until five court  
16 days from written notice via facsimile to counsel for SAC by counsel for Florimex,  
17 if any, that negotiations have failed and that an answer is required.

18           B.     The initial Case Management Conference, which has been scheduled  
19 for January 12, 2007, at 10:30 a.m. in Courtroom 3, shall be continued to March  
20 16, 2007, at 10:30 a.m. in Courtroom 3.

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28 STIPULATION TO EXTEND TIME TO ANSWER AND TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE, ORDER THEREON

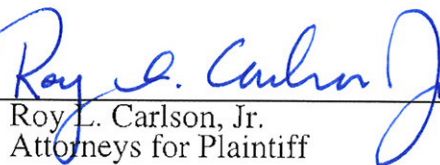
1 C. All deadlines pursuant to FRCivP 26, Civil L.R. 16 and ADR L.R. 3-5  
2 are continued accordingly.

3 IT IS SO STIPULATED.

4 DATED: December 21, 2006

MILBERG & DE PHILLIPS, P.C.


5  
6 By:

  
Roy L. Carlson, Jr.  
Attorneys for Plaintiff

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9 DATED: December 21, 2006

The Law Office of Paul A. Spiegel

10  
11 By:

  
Paul A. Spiegel  
Attorney for Defendant

12  
13 **ORDER**

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15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16  
17 DATED: 1/5/07

  
JEREMY FOGEL  
United States District Judge

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